

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DAVID CASTRO CONNOLLY,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 10-6819 (SRC)

OPINION & ORDER

CHESLER, District Judge

This matter comes before the Court upon *Pro se* Petitioner David Castro Connolly's motion for reconsideration of this Court's Opinion and Order entered August 29, 2011, granting in part and denying in part Petitioner's motion to vacate, set aside or correct his sentence, pursuant to 28 U.S.C. § 2255. For the reasons set forth below, the motion will be denied.

“A court may grant a motion for reconsideration if the moving party shows one of the following: (1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court issued its order; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice.” See Banda v. Burlington County, 263 Fed. Appx. 182, 183 (3d Cir. 2008) (citing Max’s Seafood Café v. Quinteros, 176 F.3d 669, 677 (3d Cir. 1999)); L. Civ. R. 7.1(i). Petitioner has failed to demonstrate an entitlement to reconsideration under any of these three prongs. Rather, Petitioner has largely repeated the arguments he originally made in support of his motion to vacate.

For these reasons,

IT IS on this 30th day of December, 2011

ORDERED that Petitioner's motion for reconsideration (Docket Entry No. 28) of this Court's Opinion and Order of August 29, 2011 is **DENIED**.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge